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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 14 January 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Nineteen days ago, Israel, the occupying Power, started an unrelenting and brutal war against the 1.5 million Palestinians in the Gaza Strip. Since then, Israeli officials have repeatedly and shamelessly announced that their actions, which according to several Israeli and international human rights organizations amount to war crimes, would continue despite international calls for their immediate end. Again and again, we have heard Israeli officials state that United Nations Security Council resolution 1860 (2009) is a resolution they have wilfully decided to ignore. Needless to say, this is an outrageous display of disrespect and contempt towards the United Nations, the Security Council and the will of the international community. That message is: if you possess the firepower and political support of some, you can literally get away with murder, war crimes, and aggression; in other words, you can be a State above international law. This is an intolerable situation that threatens stability and security in the region that should not be tolerated by the international community anymore.

At the writing of this letter, Israeli bombardment has killed nearly 1,000 Palestinians, including 400 children and women, and injured nearly 5,000 Palestinians, about 400 of whom are in very critical condition. Israel's war machine has spared no one and nothing; not a corner in the Gaza Strip has been spared from this destructive campaign, and as we tally the toll of this war, we must recall that Israeli occupying forces are impeding the access of the heroic Palestinian paramedics from reaching scores of Palestinian civilians injured inside their homes or buried under the rubble in many of the Strip's border-area neighbourhoods. The International Committee of the Red Cross has confirmed that the "Israeli military failed to meet its obligation under international humanitarian law to care for and evacuate the wounded". Sadly, medical officials on the ground have confirmed that the number they are now reporting is limited only to those killed and injured who they have been able to recover. Survivors of Israeli bombardment insist that while fleeing their towns and neighbourhoods across Gaza, they witnessed scores of

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decomposing bodies lying on the ground and under the rubble, adding to their trauma and fear.

Overnight, Israeli artillery and warplanes continued to pound residential neighbourhoods across the Gaza Strip, sparing nothing and no one, including cemeteries. Seventeen Palestinians were killed during the overnight hours in circumstances that only add further proof of the brutality of Israel's war. Palestinian medical sources confirm that several Palestinian civilians fleeing the bombardment were shelled by Israeli forces, as was the case in Khan Younis, which resulted in the killing of a woman and the severe injury of several of her family members. To the north, in Gaza City's Al-Shate' refugee camp and Jabaliya refugee camp, Israeli bombardment targeted apartments in residential buildings, killing and injuring several civilians.

There is growing evidence on the ground, corroborated by international weapons experts of Human Rights Watch, that Israeli forces are firing missiles and artillery shells containing white phosphorous into densely populated neighbourhoods across the Gaza Strip. In Khuzaa, south of Khan Younis, Beit Hanoun, and Jabaliya, Palestinians report that their homes are being bombed and burned by Israeli shells that fall burning and emitting a choking white smoke that from the sky looks like a jellyfish raining down balls of fire on innocent civilians. Doctors in Gaza have pleaded repeatedly for help in treating wounds and severe burns that they have never seen in the past. They say some of the weapons that Israel is using burns human flesh down to the bare bones and others amputate and sear bodies, leaving shrapnel that cannot be detected by X-ray, which results in the death of patients after doctors treat them for the wounds they can detect. These types of amputations and undetectable shrapnel are consistent, according to experts and doctors, with the use of DIME, an illegal and highly hazardous weapon.

Also highly alarming are accusations by the Israeli human rights organization B'Tselem that Israeli forces in Khuzaa, south of Khan Younis, shot 50-year-old Rawia al-Najjar, as she tried to flee the bombarded village, waving a white flag. No one has been able to reach her; she is still lying on the street injured, perhaps now dead. According to eyewitnesses quoted by the organization, Rawia had decided to venture out in the street with a white flag in order to signal to the Israeli forces that civilians in the area wanted to flee the bombing. She was shot as soon as she stepped out of the house, even though she was following the orders of Israeli forces, who told residents on loudspeakers that they should evacuate their homes carrying white flags and take shelter in a school close by. Also in Khusaa, B'Tselem says that eyewitnesses confirm that Israeli soldiers killed 54-year-old Mohamad Al-Najjar, 25-year-old Ahmad al-Najjar, and 80-year-old Khalil al-Najjar and injured several others as they waved a white flag and walked out of their homes towards the school Israeli forces instructed them to flee to.

While this wanton killing and destruction is happening on the ground in Gaza, we hear shocking words from Israeli officials. Israeli Foreign Minister Tzipi Livni has told Israeli media that her country has achieved what it wanted, which, in her words, was to prove that Israel can act with madness and without any inhibitions in Gaza. This is a shameless attempt to boast about the killing of hundreds of civilians and the destruction of an entire occupied region that should be confronted with absolute condemnation. In another case of criminal incitement, Avigdor Lieberman, the right-wing Israeli politician, called on the Israeli army to wipe Gaza off,

employing, in his words, the same means the United States employed against Japan in the Second World War, in reference to the atomic bomb. This is an abject and clear call for mass murder and genocide.

The heart-wrenching images that are coming out of Gaza cannot be disputed; neither can the impassioned testimonies of human rights activists and doctors who have been shocked by the brutality and extremism of Israel's war against Gaza's defenceless population. Palestinians cannot find space to bury their dead in Gaza's cemeteries so they are forced to dig their loved ones' old graves. We ask you, how much more can humanity tolerate as the basic principles of human dignity are violated in Gaza? The values of humanity are being shattered in Gaza at the hands of a brutal occupying Power whose crimes have known no limits. Enough has been said; Gaza's terrorized and bombarded population deserves more from the world than words, pleas, and hopes that so far have not stopped a single Israeli bomb from shattering the lives of yet another Palestinian family, and the innocence and the mental health of yet another Palestinian child.

We appreciate the diplomatic efforts now being undertaken by Secretary-General Ban Ki-moon, but time is of the essence and stopping this aggression must be achieved immediately and not when Israel decides.

This letter is in follow-up to our previous 331 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 12 January 2009 (A/ES-10/437–S/2009/30), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice. (As all the victims have not yet been identified, their names will be included in an annex to a future letter.)

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer